# LOCAL FORM FOR A CHAPTER 13 PLAN UNDER FEDERAL RULE OF BANKRUPTCY PROCEDURE 3015.1 AND ADMINISTRATIVE ORDER NO. 17-04

#### UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF MICHIGAN

		FOR THE E	ASTERN DISTRICT	OF MICHIGAN	
IN R	<b>E</b> :				
S.S.#	Jeremy D. Larue  xxx-xx-3614  Debtor	_	CASI CHA JUDO	PTER 13	
and				PLAN SUM	MARY
	Sarah D. Larue			For informational	purposes only.
S.S.#			Mini Plan Mini	: 60 Months mum Plan Length: 60 Payment: \$ 672.00 per Month Plan dividend to Class 9 Pentage of Tax Refunds con	Month Creditors \$_ <b>0.00</b> _
		[X] Original	CHAPTER 13 PLAN	<u>N</u> ation Modification #	
I. 1	NOTICES				
BEC FILE	OME BINDING WITED. READ THIS DOC	CUMENT CAREFULLY	TICE OR HEARING U AND CONSIDER SE	JNLESS A TIMELY WI EKING THE ADVICE	RITTEN OBJECTION IS OF AN ATTORNEY.
		e box on each line to stat			
<b>A.</b>	of Bankruptcy Proce means a provision th	ions set out in Section IV edure 3015(c), a "nonsta nat is not otherwise inclu 13 Plan in the Eastern D	ndard provision" ided in the approved	<b>∡</b> Included	☐ Not included
B.	A limit on the amount the collateral for the	nt of a secured claim bas e claim.	sed on a valuation of	☐ Included	<b>✓</b> Not included
C.	Avoidance of a secur			☐ Included	✓ Not included
•		HECKED AS "NOT INC THERWISE INCLUDE		H BOXES ARE CHECK	KED, THE PROVISION IS
•	ANY "NONSTANI	DARD PROVISION" TI	HAT IS NOT SPECIFI	CALLY IDENTIFIED I	N SECTION IV IS VOID.
•	PROVISIONS", A	NI INDICATES THAT T NY "NONSTANDARD I LISTED IN SECTION IV	PROVISIONS" IN TH		
WHI		D AT <u>WWW.13EDM.C</u> 0			STANDARD PROVISIONS ROM DEBTOR'S COUNSEL
	APPLICABLE COMP ELIGIBILITY FOR I	MITMENT PERIOD; P DISCHARGE:	LAN PAYMENTS; PL	AN LENGTH; EFFECT	TIVE DATE AND
A		nt Monthly Income exceed or's Plan Length shall be			applicable Commitment Period infirming Plan.
		nt Monthly Income is less od is 36 months. Debtor's			ne. Debtor's Applicable ry of the Order Confirming

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Plan. This is a minimum Plan length. If the Plan has not been completed in the minimum Plan length, the Plan length shall be extended as necessary for completion of the requirements of the Plan; provided that in no event will the Plan term continue beyond 60 months from the date of entry of the Order Confirming Plan. See Paragraph J of the Additional Terms, Conditions and Provisions for additional information regarding Completion of Plan.

If neither or both of the above boxes is checked, then the Applicable Commitment Period and the Plan Length shall be 60 months from the date of entry of the Order Confirming Plan.

- **B.** Debtor's plan payment amount is \$155.08 per week.
- C. Future Tax Refunds. See Paragraph A of the Additional Terms, Conditions and Provisions for additional information regarding Tax Refunds and Tax Returns.

FO	OR CASES ASSIGNED TO BAY CITY DIVISION: Check only one box. If none are checked or more than one box is
che	ecked, paragraph 2 shall apply:
1.	Debtor's Plan proposes a 100% dividend to unsecured creditors. Therefore, debtor is not required to remit any future Tax Refunds
2.	Debtor's Plan proposes less than a 100% dividend to unsecured creditors and debtor's Schedule I <i>does not</i> include a pro-ration for anticipated Tax Refunds. Debtor will remit 50% of all Federal and State Tax Refunds that debtor receives or is entitled to receive after commencement of the case.
3.	Debtor's Plan proposes less than a 100% dividend to unsecured creditors and debtor's Schedule I <i>includes</i> a proration for anticipated Federal Tax Refunds. Debtor will remit 100% of all Federal and State Tax Refunds that debtor receives or is entitled to receive after commencement of the case to the extent the Refund exceeds the sum of twelve times the amount of the Federal and State Tax Refund pro-ration shown in Schedule I.
EO	AD CACEC ACCIONED TO DETROIT DIVICION. CL. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.
	OR CASES ASSIGNED TO DETROIT DIVISION: Check only one box. If none are checked or more than one box is
1.	ecked, paragraph 2 shall apply:  Debtor's Plan proposes a 100% dividend to unsecured creditors. Therefore, debtor is not required to remit any future Tax Refunds.
2.	Debtor's Plan proposes less than a 100% dividend to unsecured creditors and debtor's Schedule I <i>does not</i> include a pro-ration for anticipated Tax Refunds. Debtor will remit 100% of all Federal Tax Refunds that debtor receives or is entitled to receive after commencement of the case.
3.	Debtor's Plan proposes less than a 100% dividend to unsecured creditors and debtor's Schedule I <i>includes</i> a proration for anticipated Federal Tax Refunds. Debtor will remit 100% of all Federal Tax Refunds that debtor receives or is entitled to receive after commencement of the case to the extent the Refund exceeds the sum of twelve times the amount of the Federal Tax Refund pro-ration shown in Schedule I.
FO	OR CASES ASSIGNED TO FLINT DIVISION: Check only one box. If none are checked or more than one box is checked,
pai	ragraph 2 shall apply:
1.	Debtor's Plan proposes a 100% dividend to unsecured creditors. Therefore, debtor is not required to remit any future tax refunds.
2.	Debtor's Plan proposes less than a 100% dividend to unsecured creditors and debtor's Schedule I <i>does not</i> include a pro-ration for anticipated tax refunds. Debtor will remit 100% of all Federal Tax Refunds that Debtor receives or is entitled to receive after commencement of the case.
3.	Debtor's Plan proposes less than a 100% dividend to unsecured creditors and debtor's Schedule I <i>includes</i> a proration for anticipated Federal Tax Refunds. Debtor is not required to remit Federal Tax Refunds in excess of the amount of the proration shown on Schedule I.
	<b>D.</b> If the box to the immediate left is "checked", the debtor acknowledges that debtor <b>is not</b> eligible for a discharge pursuant to 11 USC §1328.
	☐ If the box to the immediate left is "checked", the joint debtor acknowledges that joint debtor <b>is not</b> eligible for a discharge pursuant to 11 USC §1328.

- E. If the box to the immediate left is "checked", the debtor or joint debtor is self-employed AND incurs trade credit in the production of income from such employment. Debtor shall comply with the requirements of Title 11, United States Code, and all applicable Local Bankruptcy Rules regarding operation of the business and duties imposed upon the debtor.
- III. DESIGNATION AND TREATMENT OF CLASSES OF CLAIMS: See Paragraph F of the Additional Terms, Conditions and Provisions for additional information regarding the order in which claims are to be paid.
  - A. Class One TRUSTEE FEES as determined by statute.
  - B. Class Two ADMINISTRATIVE CLAIMS, INCLUDING ATTORNEYS FEES AND COSTS:
    - 1. PRE-CONFIRMATION ATTORNEY FEES: At confirmation of the Plan, Counsel shall elect to either:
      - In lieu of filing a separate fee application pursuant to 11 USC §327 and §330, accept the sum of \$ 3,500.00 for services rendered plus \$ 0.00 for costs advanced by Counsel, for total Attorney Fees and Costs of \$ 3,500.00 through the Effective Date of the Plan. The total Attorney Fees and Costs less the sum paid to Counsel prior to the commencement of this case as reflected in the Rule 2016(b) Statement leaving a net balance due of \$ 3,500.00, will be paid as an Administrative Expense Claim; or
      - Request an award of compensation for services rendered and recovery of costs advanced by filing a separate h. Application for Compensation for services rendered up through the date of entry of the Order Confirming Plan pursuant to 11 USC §327 and §330. If Counsel elects to file a fee application pursuant to this sub-paragraph, the Trustee shall escrow \$0.00 for this purpose. See Paragraph B of the Additional Terms, Conditions and Provisions for additional information.
    - 2. POST-CONFIRMATION ATTORNEY FEES: See Paragraph D of the Additional Terms, Conditions and Provisions for additional information.
    - 3. RETENTION OF OTHER PROFESSIONALS FOR POST-PETITION SERVICES: Debtor \( \precent{Delta} \) has retained or \( \precent{Delta} \) intends to retain the services of (name of person to be retained) as (capacity or purpose for retention) to perform professional services post-petition with fees and expenses of the professional to be paid as an Administrative Expense. See Paragraph C of the Additional Terms, Conditions and Provisions for additional information.
    - 4. OTHER ADMINISTRATIVE EXPENSE CLAIMS: Any administrative expense claims approved by Order of Court pursuant to 11 USC §503 shall be paid as a Class Two administrative claim. See Paragraph E of the Additional Terms, Conditions and Provisions for additional information.
  - C. CLASS THREE SECURED CLAIMS TO BE STRIPPED OR AVOIDED FROM THE COLLATERAL AND TREATED AS UNSECURED CLAIMS TO BE PAID BY TRUSTEE. See Paragraph G and Paragraph N of the Additional Terms, Conditions and Provisions for additional information.

Class 3.1 Liens to be Stripped. 11 USC §506(a).

<u>Creditor</u>	<u>Collateral</u>			
None				
Class 3.2 Judicial Liens and Non-Possessory, Non-Purchase Money Liens to be Avoided. 11 USC §522(f).				
Creditor	<u>Collateral</u>			

D. CLASS FOUR - SECURED CLAIMS ON WHICH THE LAST CONTRACTUAL PAYMENT IS DUE BEYOND THE LENGTH OF THE PLAN. 11 USC §1322(b)(5).

Continuing Payments on a claim secured by the debtor's principal residence that come due on and after Class 4.1 the date of the Order for Relief. (See Paragraph P, Paragraph L and Paragraph EE of the Additional Terms, Conditions and Provisions for additional information).

Creditor	Collateral	Monthly Payment	Direct or Via Trustee
-NONE-			

**Class 4.2** Pre-Petition Arrearages on a claim secured by the debtor's principal residence to be paid by Trustee: Those amounts which were due as of the filing of the Order for Relief:

			Estimated Average	Months to Cure From
Creditor	<u>Collateral</u>	Arrears Amount	Monthly Payment	Confirmation Date

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-NONE-

Creditor	<u>Collateral</u>	Arrears Amount	Estimated Average  Monthly Payment	Months to Cure From Confirmation Date
-NONE-				

#### **Class 4.3** Continuing Payments other than on a claim secured by the debtor's principal residence that come due on and after the date of the Order for Relief. (See Paragraph P, Paragraph L and Paragraph EE of the Additional Terms. Conditions and Provisions for additional information).

Creditor	Collateral	Monthly Payment	Direct or Via Trustee				
Lake Trust Credit Union	2016 Tracer 305 AIR	207.00	Direct				
	Travel trailer.						
	Location: 10437 Michael Blvd,						
	Pinckney MI 48169						
Loancare LLC	10437 Michael Blvd Pinckney, MI	1,400.00	Direct				
	48169 Livingston County						

#### **Class 4.4** Pre-Petition Arrearages other than on a claim secured by the debtor's principal residence to be paid by Trustee: Those amounts which were due as of the filing of the Order for Relief:

Creditor	<u>Collateral</u>	Arrears Amount	Estimated Average  Monthly Payment	Months to Cure From Confirmation Date
-NONE-				

#### E. CLASS FIVE - SECURED CLAIMS ON WHICH THE LAST PAYMENT WILL BECOME DUE WITHIN THE PLAN DURATION. (See Paragraph H, Paragraph L, Paragraph O, and Paragraph S of the Additional Terms, Conditions and Provisions for additional information).

#### Class 5.1. Secured Claims not excluded from 11 USC §506 to be paid Equal Monthly Payments. 11 USC $\S1325(a)(5)(B)$ :

Creditor/Collateral	Indicate if "crammed" *** or modified	Interest rate (Present Value Rate)	Total to be paid Including Interest	Monthly <u>Payment</u>	Direct or Via Trustee
U of M Credit Union/2015 Honda Odyssey EX-L 30000 miles Location: 10437 Michael Blvd, Pinckney MI 48169		0.00%	0.00	425.00	Direct

<sup>\*\*\*</sup> See debtor's Schedule A/B for more information about values.

#### Class 5.2. Secured Claims not excluded from 11 USC §506 not to be paid Equal Monthly Payments. 11 USC $\S1325(a)(5)(B)$ :

Creditor/Collateral	Indicate if "crammed"***or modified	Interest rate (Present Value Rate)	Total to be paid including interest	Estimated Average Monthly Payment	Direct or Via Trustee
-NONE-/					

<sup>\*\*\*</sup> See debtor's Schedule A/B for more information about values.

## Class 5.3. Secured claims excluded from 11 USC §506 by the "hanging paragraph" at the end of 11 USC §1325(a)(9) to be paid "Equal Monthly Payments". 11 USC §1325(a)(5)(B).

Creditor/Collateral	Indicate if " <u>modified</u>	Interest rate (Present Value Rate)	Total to be paid Including interest	Monthly Payment	Direct or Via Trustee
-NONE-/					

Class 5.4. Secured claims excluded from 11 USC §506 by the "hanging paragraph" at the end of 11 USC §1325(a)(9) not to be paid Equal Monthly Payments. 11 USC §1325(a)(5)(B).

Creditor/Collateral	Indicate if "modified	Interest rate (Present Value Rate)	Total to be paid Including interest	Estimated Average Monthly_ Payment	Direct or Via Trustee
-NONE-/					

Class 5.5. Surrender of collateral. (See Paragraph P of the Additional Terms, Conditions and Provisions for additional information).

The debtor(s) surrenders debtor's interest in the following collateral. Any allowed unsecured claim remaining after disposition of the collateral will be treated as a Class 9 General Unsecured Creditor.

Creditor Name	Description of Collateral
Ally Financial	2017 Jeep Wrangler 47000 miles
	Location: 10437 Michael Blvd, Pinckney MI 48169

F. CLASS SIX - EXECUTORY CONTRACTS AND/OR UNEXPIRED LEASES. 11 USC §§365, 1322(b)(7): Debtor assumes the executory contracts and unexpired leases listed in subparagraph 1. (See Paragraph K of the Additional Terms, Conditions and Provisions for additional information).

#### **Class 6.1. Continuing Lease/Contract Payments:**

Creditor	<u>Property</u>	Monthly Payment	Lease/Contract expiration date	Direct or Via <u>Trustee</u>
Ford Motor Credit	2018 Ford F150 15000 miles Location: 10437 Michael Blvd, Pinckney MI 48169	520.00	11/21/2018	Direct

#### Class 6.2. Pre-petition Arrearages on Assumed Executory Contracts and Leases (to be paid by Trustee):

Creditor	<u>Property</u>	Arrears Amount	Estimated Average Monthly Payment	Months to Cure From Confirmation Date
-NONE-				

Class 6.3. Debtor rejects the executory contracts and unexpired leases listed in this subparagraph 3. Any unexpired lease or executory contract that is neither expressly assumed in Class 6.1 above or expressly rejected below shall be deemed rejected as of the date of confirmation of debtor's chapter 13 plan to the same extent as if that unexpired lease or executory contract was listed below. (See Paragraph K of the Additional Terms, Conditions and Provisions for additional information):

Creditor	<u>Property</u>
-NONE-	

#### G. CLASS SEVEN – PRIORITY UNSECURED CLAIMS. 11 USC §§507, 1322(a)(2).

#### Class 7.1. Domestic Support Obligations: Continuing Payments that come due on and after the date of the Order for Relief:

<u>Creditor</u>	Monthly Payment	Direct or Via Trustee
-NONE-		

#### Class 7.2. Domestic Support Obligations: Pre-Petition Arrearages due as of the filing of the Order for Relief:

Creditor	Arrears Amount	Estimated Average Monthly Payment	Direct or Via Trustee
-NONE-			

#### Class 7.3. All Other Priority Unsecured Claims [11 U.S.C. §1322(a)(2)]

Creditor	<u>Amount</u>	Direct or Via Trustee
-NONE-		

## H. CLASS EIGHT – SEPARATELY CLASSIFIED UNSECURED CLAIMS. 11 USC §1322(b)(1): (To be paid by Trustee): (See Paragraph M of the Additional Terms, Conditions and Provisions for additional information):

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Creditor	Amount	Interest Rate	Reason for Special Treatment			
-NONE-						
I. CLASS NINE - GENERAL UNSECURED CLAIMS (to be paid by Trustee): – See Paragraph N of the Additional Terms,						

1,		ASS NINE - GENERAL UNSECURED CLAIMS (to be paid by Trustee): – See Paragraph N of the Additional Terms, additions and Provisions for additional information.
		This Plan shall provide a total sum for distribution to creditors holding Class 9 General Unsecured claims in an amount that is not less than the Amount Available in Chapter 7 shown on Attachment 1, Liquidation Analysis and Statement of Value of Encumbered Property (the "Unsecured Base Amount"). This Plan shall provide either (i) the Unsecured Base Amount; or (ii) will continue for the full Plan Length as indicated in Paragraph II.A of this Plan, whichever yields the greater payment to Class 9 Unsecured Creditors. See Attachment 2, Chapter 13 Model Worksheet, Line 8, for additional information concerning funds estimated to be available for payment to Class 9 Unsecured Creditors.
		This Plan shall provide a dividend to holders of Class 9 General Unsecured Claims equal to 100% of allowed claims.
If n	eithe	er box is checked or if both boxes are checked, then the plan shall pay the Unsecured Base Amount.
		If the box to the immediate left is "checked", creditors holding claims in Class Seven, Eight and Nine shall receive interest on their allowed claims at the rate of <b>0.00%</b> per annum as required by 11 USC §1325(a)(4).

#### **IV.** Nonstandard Plan Provisions:

V.D. POST-CONFIRMATION ATTORNEY FEES & COSTS BY SEPARATE APPLICATION: Counsel reserves the right to file Applications for compensation for services rendered subsequent to Confirmation of this Plan. Upon entry of an Order-Awarding Post-Confirmation Attorney Fees, if debtor's Plan will not complete within 60 months of the date of the Order-Confirming Plan, all unpaid Attorney Fees and costs shall be paid by the Trustee only after a Plan modification that allows debtor's Plan to complete within 60 months from the date of the Order Confirming Plan is approved with notice as is appropriate to the parties interested.

V.F. <u>ORDER OF PAYMENT OF CLAIMS</u>: All claims for which this Plan proposes payment through the Trustee shall be paid in the following order to the extent that funds are available:

Level 1: Člass 1

Level 2: Classes 2.1, 2.2 and 2.3; Class 5.1, 5.3 and 6.1

Level 3: Classes 5.1, 5.3 and 6.1; Class 2.1 and 2.3

Level 4: Class 2.2 and 2.4

Level 5: Class 4.1 and 4.3

Level 6: Classes 4.2, 4.4, 5.2, 5.4 and 6.2

Level 7: Class 7

Level 8: Classes 3.1, 3.2, 5.5, 6.3, 8 and 9.

Each level shall be paid as provided in this Plan before any disbursements are made to any subordinate class. If there are not sufficient funds to pay all claims within a level then the claims in that level shall be paid *pro rata*.

I, <u>Jesse R. Sweeney P60941</u>, Attorney for Debtor (or Debtor if not represented by an attorney), certify that this Plan contains no "Nonstandard Provisions" other than those set out in Section IV above.

/s/ Jesse R. Sweeney
Jesse R. Sweeney P60941
Attorney for Debtor
25140 Lahser Road, Suite 252-B
Southfield, MI 48033
Street Address
Southfield, MI 48033-0000
City, State and Zip Code
Sweeneylaw2005@yahoo.com
E-Mail Address

586.909.8017

Phone Number

/s/ Jeremy D. Larue
Jeremy D. Larue
Debtor

/s/ Sarah D. Larue
Sarah D. Larue
Joint Debtor

December 2, 2019

Date

# ATTACHMENT 1

# LIQUIDATION ANALYSIS AND STATEMENT OF VALUE OF ENCUMBERED PROPERTY:

TYPE OF PROPERTY	FAIR MARKET VALUE	LIENS	DEBTOR'S SHARE OF EQUITY	EXEMPT AMOUNT	NON-EXEMPT AMOUNT
PERSONAL RESIDENCE					
10437 Michael Blvd Pinckney, MI 48169 Livingston County	220,000.00	189,398.00	30,602.00	25,150.00	5,452.00
PERSONAL RESIDENCE (total)	220,000.00	189,398.00	30,602.00	25,150.00	5,452.00
REAL ESTATE OTHER THAN PERSONAL RESIDENCE	0.00	0.00	0.00	0.00	0.00
HHG/PERSONAL EFFECTS					
Misc. articles of furniture and appliances. Location: 10437 Michael Blvd, Pinckney MI 48169	3,000.00	0.00	3,000.00	3,000.00	0.00
HHG/PERSONAL EFFECTS (total)	5,800.00	0.00	5,800.00	5,800.00	0.00
JEWELRY					
Jewelry, wedding ring. Location: 10437 Michael Blvd, Pinckney MI 48169	2,000.00	0.00	2,000.00	2,000.00	0.00
JEWELRY (total)	2,000.00	0.00	2,000.00	2,000.00	0.00
CASH/BANK ACCOUNTS	0.00	0.00	0.00	0.00	0.00
VEHICLES					
2018 Ford F150 15000 miles Location: 10437 Michael Blvd, Pinckney MI 48169	0.00	13,574.00	0.00	0.00	0.00
2017 Jeep Wrangler 47000 miles Location: 10437 Michael Blvd, Pinckney MI 48169	0.00	3,133.00	0.00	0.00	0.00
2015 Honda Odyssey EX-L 30000 miles Location: 10437 Michael Blvd, Pinckney MI 48169	23,500.00	23,620.46	0.00	0.00	0.00
VEHICLES (total)	53,000.00	63,239.46	7,500.00	7,500.00	0.00

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OTHER (itemize)					
457: VOYA	3,800.00	0.00	3,800.00	3,800.00	0.00
403b: University of MI	40,000.00	0.00	40,000.00	40,000.00	0.00
OTHER (total)	43,800.00	0.00	43,800.00	43,800.00	0.00

Amount available upon liquidation	\$ 5,452.00
Less administrative expenses and costs	\$ 12,992.50
Less priority claims	\$ 0.00
Amount Available in Chapter 7	\$ 0.00

#### **ATTACHMENT 2**

#### CHAPTER 13 MODEL WORKSHEET LOCAL BANKRUPTCY RULE 3015-1(B)(2) E.D.M

1.	Proposed length of Plan:	60	_ months		
2.	Initial Plan Payment: \$672.00 per month x 60 months = \$672.00	<b>40,320.00</b> (subtota	al)		
3.	Additional Payments: \$	per=\$(subtotal)			
4.	Lump sums payments				\$0.00
5.	Total to be paid into Plan (total of lines 2 through 4)				
6.	Estimated disbursements other than	to Class 9 Genera	al Unsecured Creditors		
	a. Estimated Trustee Fees		\$3,628.80		
	b. Estimated Attorney Fees and cost confirmation of plan	s through	\$0.00		
	c. Estimated Attorney Fees and cost through duration of Plan	s post-confirmatio	\$7,000.00		
	d. Estimated fees of other Profession	nals	<b>\$0.00</b>		
	e. Total mortgage and other continupayments	ing secured debt	\$0.00		
	f. Total non-continuing secured deb (including interest)	t payments	\$0.00		
	g. Total priority claims		<b>\$0.00</b>		
	h. Total arrearage claims		\$0.00		
7.	Total disbursements other than to Class 9 General Unsecured Creditors (Total of lines 6.a through 6.h)		\$	10,628.80	
8.	Funds <i>estimated</i> to be available for Class 9 General Unsecured Creditors (Line 5 minus Line 7)		\$	29,691.20	
9.	Estimated dividend to Class 9 General Unsecured Creditors in Chapter 7 proceeding (see Liquidation Analysis on page 6)			\$	0.00